

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

PATRICIA JONES,

Plaintiff,

v.

SECRETARY, DEPARTMENT OF
VETERAN AFFAIRS,

Defendants.

Case No. 2:21-cv-00524-RFB-EJY

ORDER

Before the Court for consideration is the Report and Recommendation [ECF No.7] of the Honorable Elayna J. Youchah, United States Magistrate Judge, entered June 28, 2021.

A district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate.” 28 U.S.C. § 636(b)(1). A party may file specific written objections to the findings and recommendations of a magistrate judge. 28 U.S.C. § 636(b)(1); Local Rule IB 3-2(a). When written objections have been filed, the district court is required to “make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1); see also Local Rule IB 3-2(b). Where a party fails to object, however, a district court is not required to conduct “any review,” de novo or otherwise, of the report and recommendations of a magistrate judge. Thomas v. Arn, 474 U.S. 140, 149 (1985). Pursuant to Local Rule IB 3-2(a), objections were due by July 12, 2021. No objections have been filed. The Court has reviewed the record in this case and concurs with the Magistrate Judge’s recommendations.

1 **IT IS THEREFORE ORDERED** that the Report and Recommendation [ECF No. 7 is
2 ACCEPTED and ADOPTED in full.

3 **IT IS FURTHER ORDERED** that Plaintiff's motion to proceed in forma pauperis (ECF
4 No. 6) is denied.

5 **IT IS FURTHER ORDERED** that Plaintiff be directed to pay the filing fee of \$402.00
6 in installments with the first payment of \$52 due on or before November 26, 2021.

7 **IT IS FURTHER ORDERED** that Plaintiff make \$50 payment approximately every
8 thirty days on December 27, 2021, January 27, 2022, February 28, 2022, March 28, 2022, April
9 28, 2022, May 27, 2022, and April 17, 2022.

10 **IT IS FURTHER ORDERED** that Plaintiff's Initiating Document is dismissed without
11 prejudice and with leave to amend.

12 **IT IS FURTHER ORDERED** that Plaintiff is granted until December 6, 2021, to file a
13 complaint that complies with Rule 8(a) of the Federal Rules of Civil Procedure and the instructions
14 given above so long as Plaintiff's first installment payment of \$52 is received by the Clerk of the
15 Court by November 26, 2021.

16 **IT IS FURTHER ORDERED** that if Plaintiff fails to comply with the recommendations
17 above, once adopted, Plaintiff's action is dismissed without prejudice.

18
19 The Court Clerk is directed to mail a copy of this order to Plaintiff.

20
21 DATED: October 26, 2021.



22 **RICHARD F. BOULWARE, II**
23 **United States District Judge**